

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,**

**Plaintiff/Respondent,**

**vs.**

**Civ. No. 16-696 MV/KK  
Cr. No. 13-959 MV**

**ELIAS ATENCIO,**

**Defendant/Movant.**

**ORDER ADOPTING MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER comes before the Court on Defendant/Movant Elias Atencio's ("Movant") Motion to Correct Sentence under 28 U.S.C. § 2255 ("Motion") (Doc. 1), filed June 24, 2016. United States Magistrate Judge Kirtan Khalsa entered Proposed Findings and Recommended Disposition ("PFRD") regarding the Motion on October 11, 2017. (Doc. 22.) In her PFRD, Judge Khalsa recommended that the Court deny the Motion and that this case be dismissed with prejudice. (*Id.*) After requesting and being granted multiple extensions of time in which to file objections, the parties had until May 25, 2018, to timely object to the PFRD. (Docs. 24, 26, 28, 31, 33.) As of the date of entry of this Order, no objections have been filed; and, upon review of the record, the Court concurs with the Magistrate Judge's PFRD.

IT IS THEREFORE ORDERED that:

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 22) are ADOPTED as an order of the Court;

2. Movant's Motion to Correct Sentence under 28 U.S.C. § 2255 (Doc. 1) is DENIED and this case is DISMISSED WITH PREJUDICE.

A handwritten signature in black ink, appearing to read 'Martha Vázquez', is written over a horizontal line.

THE HONORABLE MARTHA VÁZQUEZ  
UNITED STATES DISTRICT JUDGE